

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Kurt E. Spears

Confirmation No.: 2193

Application No.: 09/772714

Examiner: Gibbs, Heather D

Filing Date: Jan 30, 2001

Group Art Unit: 2622

Title: Optical Image Scanner With Illumination Compensation During Lamp Warmup (as Amended)

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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MAR 25 2005

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 12/02/2004, rejecting the following claims 16, 17 and 20.  
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input checked="" type="checkbox"/> (X) one month	\$120.00
<input type="checkbox"/> ( ) two months	\$450.00
<input type="checkbox"/> ( ) three months	\$1020.00
<input type="checkbox"/> ( ) four months	\$1590.00

☐ ( ) The extension fee has already been filed in this application.

☐ ( ) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$620.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

☐ ( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: \_\_\_\_\_  
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☒ (X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (703) 872-8306 on March 25, 2005

Number of pages:

Typed Name: Donna M Kraft

Signature: Donna M Kraft

Respectfully submitted,

Kurt E. Spears

By A. W. Winfield  
Augustus W Winfield

Attorney/Agent for Applicant(s)

Reg. No. 34,046

Date: March 25, 2005

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